

# Order

Michigan Supreme Court  
Lansing, Michigan

June 22, 2007

Clifford W. Taylor,  
Chief Justice

133303

Michael F. Cavanagh  
Elizabeth A. Weaver  
Marilyn Kelly  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman,  
Justices

JAMES PARRISH,  
Plaintiff-Appellee,  
and

KATHLEEN BAUGHMAN,  
Plaintiff,

v

SC: 133303  
COA: 263256  
Livingston CC: 03-019974-NI

STEVEN SHERRILL,  
Defendant-Appellant,  
and

LEONARD SHERRILL,  
Defendant.

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On order of the Court, the application for leave to appeal the January 18, 2007 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the question presented should be reviewed by this Court.

MARKMAN, J., would grant leave to appeal to consider whether, where plaintiff rejected a \$75,000 offer to settle and subsequently was determined to be 99% at fault and received only \$3,000 in damages, the trial court abused its discretion by concluding that plaintiff had “improved his position” by the litigation, and was thus entitled to costs as the prevailing party “on the entire record” under MCR 2.625(B)(2).



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

June 22, 2007

*Corbin R. Davis*

Clerk